

NASHUA CITY PLANNING BOARD
November 5, 2015

The regularly scheduled meeting of the Nashua City Planning Board was held on Thursday, November 5, 2015 at 7:00 PM in the auditorium at City Hall.

Members Present: Scott LeClair, Vice Chair, Acting Chair
 Dan Kelly, Secretary
 Ald. Sean McGuinness
 Steve Dookran, City Eng.
 Ed Weber
 Megan Prieto, alt.

Also Present: Roger Houston, Planning Director
 Linda Panny, Planner I

Mr. LeClair said Ms. Prieto will be participating and voting.

Approval of Minutes

October 15, 2015

MOTION by Mr. Weber to approve the minutes of October 15, 2015.

SECONDED by Mr. Kelly

MOTION CARRIED 5-0, 1 ABSTENTION

COMMUNICATIONS

Mr. Houston went over the following items that were received after the mailing went out:

- Letter dated 11/5/15 from Jeanne Walker re: Case #1

REPORT OF CHAIR, COMMITTEE & LIASON

Mr. Kelly said NRPC will be holding a strategy session on November 13th at Rivier University to chart their business course and explore new growth opportunities. He will be in attendance.

Regarding CIC, the kickoff meeting was on October 26th. The order of presentations in January is being developed. Dan Kelly was voted as Chairman.

PROCEDURES OF THE MEETING

Mr. LeClair went into the procedure of the meeting as follows: After the legal notice of each conditional, special use permit, site plan or subdivision plan is read by the Chair, the Board will determine if that the application is complete and ready for the Board to take jurisdiction. The public hearing will begin at which time the applicant or representative will be given time to present an overview and description of their project. The applicant shall speak to whether or not they agree with recommended staff stipulations. The Board will then have an opportunity to ask questions of the applicant or staff.

The Chair will then ask for testimony from the audience. First anyone wishing to speak in opposition or with concern to the plan may speak. Please come forward to the microphone, state their name and address for the record. This would be the time to ask questions they may have regarding the plan. Next public testimony will come from anyone wishing to speak in favor of the plan. The applicant will then be allowed a rebuttal period at which time they shall speak to any issues or concerns raised by prior public testimony.

One public member will then be granted an opportunity to speak to those issues brought by the applicant during their rebuttal period. The Board will then ask any relevant follow-up questions of the applicant if need be.

After this is completed the public hearing will end and the Board will resume the public meeting at which time the Board will deliberate and vote on the application before us. The Board asks that both sides keep their remarks to the subject at hand and try not to repeat what has already been said.

Above all, the Board wants to be fair to everyone and make the best possible decision based on the testimony presented and all applicable approval criteria established in the Nashua Revised Ordinances for conditional, special use permits, site plans and subdivisions. Thank you for your interest and courteous attention. Please turn off your cell phones and pagers at this time.

OLD BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

None

OLD BUSINESS - SUBDIVISION PLANS

None

OLD BUSINESS - SITE PLANS

None

NEW BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

None

NEW BUSINESS - SUBDIVISION PLANS

1. Linear Retail Nashua #1 LLC and OCW Retail-Nashua LLC, c/o Wilder Companies (Owners) - Application and acceptance of proposed lot line relocation plan. Property located at 225, 213 and "L" Daniel Webster Highway. Sheet A - Lots 190, 30 & 791. Zoned "GB" General Business and "HB" Highway Business. Ward 8.

MOTION by Mr. Weber that the application is complete and the planning board is ready to take jurisdiction.

SECONDED by Mr. Kelly

MOTION CARRIED 6-0

Darren Hardy, WSP

Mr. Hardy introduced himself as representing Linear Retail. Greg Droc from Linear Retail was also with him. He gave a brief overview of the project.

Mr. Kelly asked why they are moving the lot line.

Greg Droc, Asset Manager, Linear Retail Nashua #1

Mr. Droc said they may look to shrink the access road down and in doing so, add parking spaces for the shops at 225 Daniel Webster Highway.

Mr. Hardy said the access is currently 68ft wide and the lot line relocation will reduce it to 50ft.

Mr. Weber asked if the plan was approved by the Fire Dept.

Mr. Hardy said they have not approached them yet because no plan is in place yet. If they do move forward with a plan to shrink the road, they will discuss this with the Fire Dept.

Mr. Dookran said consideration would also need to be given for commercial vehicles turning onto Daniel Webster Highway from the connector road. He said they may also need to have turning lanes, toward the middle of the connector road. He asked, regarding the waiver request, if the survey of the lots was done recently and therefore represents everything that is out there today.

Mr. Droczy said yes, that is correct.

Mr. Houston asked if the lot line relocation will have an impact on the ability to add a left and right turn lane on Royal Ridge Road. There has been discussion about having the two owners working together to try and improve that circulation.

Mr. Droczy said that is something they are discussing with the abutter.

Ald. McGuinness asked for a description of the use of the roadway.

Mr. Droczy said it is an access road coming off Daniel Webster Highway to access 225 Daniel Webster Highway as well as the Panera shopping center.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

Mr. Weber asked if the applicant would need to come back before the Planning Board, should they choose to make changes to the road.

Ms. Panny said if they are going to make changes to the site they will need a site plan amendment. Also, the Fire Marshall has reviewed this plan and did not have any objections.

MOTION by Mr. Weber to approve New Business - Subdivision Plan #1. It conforms to § 190-138(G) with the following stipulations and waivers:

1. The request for a waiver of § 190-282(B)(9), which requires an existing conditions plan, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.

SECONDED by Mr. Kelly

MOTION CARRIED 6-0

NEW BUSINESS - SITE PLANS

2. Deerwood Drive, LLC (Owner) Application and acceptance of re-approval of expired site plan for a mixed use development with 13 residential units and office space. Property is located at 75-77 Deerwood Drive. Sheet H - Lot 81 and 134. Zoned "PI" Park Industrial. Ward 2.

MOTION by Ald. McGuinness that the application is complete and the planning board is ready to take jurisdiction.

SECONDED by Mr. Weber

MOTION CARRIED 6-0

Peter Dolloff, Owner, 75-77 Deerwood Dr

Mr. Dolloff introduced himself. He explained that a roof collapsed at one of the condos his company owns, and so they were unable to focus on the new project, which is why he is requesting re-approval of the site plan. There are no changes to the plan.

Ms. Prieto asked when he anticipated beginning construction on the project.

Mr. Dolloff said within the next 3-4 weeks. They have completed most of the notes and stipulations from the original site plan.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

MOTION by Mr. Weber to approve New Business - Site Plan #2. It conforms to § 190-146(D) with the following stipulations or waivers:

1. All prior conditions of approval are incorporated herein and made a part of this plan, unless otherwise determined by the Planning Board.

SECONDED by Ms. Prieto

MOTION CARRIED 6-0

3. 190 Broad Street Realty Co (Owner) Noury Investments, LLC (Applicant) - Application and acceptance of proposed one year extension for a site plan to construct a 2-story, 10,388 sf multi-tenant office building and associated site improvements. Property is located at 190 Broad Street. Sheet E - Lots 744. Zoned "GB" General Business. Ward 1.

MOTION by Ald. McGuinness that the application is complete and the planning board is ready to take jurisdiction.

SECONDED by Ms. Prieto

MOTION CARRIED 6-0

Attorney Ken Cossingham, Cossingham Law Office, Andover, MA

Atty. Cossingham introduced himself as representing the property owner. He explained that they were unable to begin the project within one year and do they are requesting an extension of the original approval.

Mr. Dookran asked if this would be an extension or re-approval, as the applicant missed the one-year mark by 3 weeks.

Atty. Cossingham said they applied for an extension.

Ms. Panny said the applicant submitted their application for extension within the one-year time frame.

Ms. Prieto asked when they anticipated beginning construction on the project.

Atty. Cossingham said they are unsure at this time. They are still in negotiations.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

MOTION by Ald. McGuinness to approve New Business - Site Plan #3. It conforms to § 190-146(D) with the following stipulations or waivers:

1. All prior conditions of approval are incorporated herein and made a part of this plan, unless otherwise determined by the Planning Board.

SECONDED by Mr. Kelly

MOTION CARRIED 6-0

OTHER BUSINESS

1. Review of tentative agenda to determine proposals of regional impact.

MOTION by Mr. Kelly that there are no items of regional impact.

SECONDED by Mr. Weber

MOTION CARRIED UNANIMOUSLY

DISCUSSION ITEMS

1. Proposed site plan to construct a 96 unit multi-family 4-story building located at 263 & 265 Main Street and 1, 3 & 5 Prospect Avenue.

Mr. Houston said Attorney Gerald Prunier and site engineer Richard Maynard were present to discuss the proposed site plan. He reminded the Board that they will not be voting on this item tonight.

Mr. Dookran asked Mr. Houston if there are parts of the Downtown Master Plan that should be considered with this proposed project.

Mr. Houston said that is something for the Planning Board to discuss.

Attorney Gerald Prunier, Prunier & Prolman, P.A.

Atty. Prunier introduced himself and Mr. Maynard. He gave a brief overview of the proposal. He said technically the applicant has the right to obtain building permits for the project without Planning Board approval because the lot is located in the DI/MU zone. However, they wanted to come before the Board for their comments. There is a big market for single people and the elderly population moving back toward the middle of the City. He explained that the proposed building is U-shapes so that each apartment has natural light. There are about 67 parking spaces under the building.

Richard Maynard, Maynard & Paquette Engineering

Mr. Maynard said drainage for the property will be handled by an underground detention basin under the parking garage. There will not be a lot of new runoff. He said there is an extreme need for smaller apartment buildings in the downtown area. The building will be stucco with brick trim. He said they are expanding the sidewalk by 3ft. to match the downtown sidewalks.

Mr. LeClair asked if the project follows the Downtown Master Plan.

Mr. Maynard said he is not familiar with the master plan but there is a need for this kind of development in the downtown area and the use is permitted by right.

Ms. Prieto asked what the regulations are for density.

Mr. Maynard said there are no limits on density.

Mr. Houston added that there are limitations on building height.

Mr. Weber asked where visitors to the site will park.

Mr. Maynard said there is street parking available.

Mr. Weber asked if they looked at relocating the 1888 house.

Mr. Maynard said that has been discussed privately and is not really a component of this application. The building is in poor shape internally.

Mr. LeClair asked if they have explored getting more parking into the site. He asked if they have had any meetings with or feedback from abutters.

Mr. Maynard said they have not had any meetings. The abutters are all commercial. They did not directly notice the project but it was featured in the paper a few days ago. The only concerns so far have been regarding the existing house and whether or not it can be saved.

Ms. Prieto asked if overnight parking was allowed.

Mr. Maynard said no, it is not allowed overnight.

Mr. Kelly asked if there will be accommodation's for low-income housing.

Mr. Maynard said not necessarily; that is a finance arrangement. The units are of a size where the rental will be moderate. They may end up with HUD financing.

Mr. Weber asked how far the bus stop is to the building.

Mark Maynard, proponent

Mr. Maynard said there is a bus stop within a block.

Mr. Dookran asked if the study that was done regarding the need for this type of housing also included the need for parking associated with this type of housing.

Mr. Maynard said he cannot refer to a specific study.

Mr. Dookran asked if Mr. Maynard can cite similar projects in downtown Nashua.

Mr. Maynard said no, because there are no similar projects. This need is not being met right now.

Mr. Kelly asked if all the parking is on street level. He asked why they are not putting parking underground.

Mr. Maynard said it is expensive to do this, and it is unclear if the groundwater is contaminated.

Mr. Kelly said the City does not have the transportation infrastructure to support this type of project.

Mr. Dookran referred to setbacks as implied by the master plan.

Mr. Maynard commented that the master plan is outdated.

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Ms. Prieto asked how many 1 and 2-bedroom units there will be and what are the projected rents?

Mr. Maynard said the projected rents are unknown and it is immaterial to the discussion. The building will be about 50/50 for 1 and 2-bedroom units.

Mr. LeClair asked if there was a concept for greenspace.

Mr. Maynard said no. There will be some plantings but this is a downtown project.

MOTION to adjourn by Mr. Kelly. Meeting adjourned at 8:15pm.

APPROVED:

Adam Varley, Chair, Nashua Planning Board

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Prepared by: Mindy Lloyd

Taped Meeting